

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
ADRIANNA SPITZER,	:	
	:	
Plaintiff,	:	20cv02000 (DLC)
	:	
-v-	:	<u>ORDER</u>
	:	
CELESTIAL SEASONINGS, INC.,	:	
	:	
Defendant.	:	
	:	
-----X	:	

DENISE COTE, District Judge:

On July 27, 2020, defendant filed a motion to dismiss the complaint pursuant to Rule 12(b)(6), Fed. R. Civ. P. Under Rule 15(a)(1)(B), Fed. R. Civ. P., a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course. Accordingly, it is hereby

ORDERED that plaintiff shall file any amended complaint by **August 21, 2020**. It is unlikely that plaintiff will have a further opportunity to amend.


IT IS FURTHER ORDERED that if no amended complaint is filed, plaintiff shall file any opposition to the motion to dismiss by **August 21, 2020**. Defendant's reply, if any, shall be filed by **September 4**.

IT IS FURTHER ORDERED that, pursuant to Rule 4(B) of the Court's Individual Rules of Practice in Civil Cases, the plaintiff shall file on ECF, by **August 21**, a letter no longer

than two pages explaining the basis for her belief that diversity of citizenship exists.

IT IS FURTHER ORDERED that the initial pretrial conference scheduled for **July 31, 2020** is adjourned sine die.

Dated: New York, New York
July 28, 2020



DENISE COTE
United States District Judge